

POSITION DESCRIPTION

Weights & Measures Petroleum System Specialist (Entry)

Division of Trade & Consumer Protection – Bureau of Weights & Measures

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POSITION SUMMARY

Under close progressing to general supervision, this position is responsible for inspection, enforcement, compliance, education and investigation work for the Weights and Measures/Petroleum Inspection program. This position provides highly technical field education, training and consultation to regulated businesses and the general public using knowledge of petroleum products, tank systems, weights and measures requirements and Division protocols.

The position serves as the primary contact in a specific geographical area. Through training and under direction, perform technical inspections of retail petroleum and commercial establishments and devices, investigations, product and device testing and enforcement work to ensure compliance with applicable laws and regulations – work will progress from routine activities to more complex assignments as training is completed and performance standards are met.

The laws and regulations applied pertain to the transportation, storage, sale, handling, maintenance and use of retail and commercial petroleum products and storage tank systems; and their adopted standards by reference, weights and measures regulations for devices, commodities and price accuracy, and mobile air conditioning regulations as specified by Wisconsin Statutes and Administrative Code. Work includes the on-site inspection and documentation of:

Retail outlets and commercial handlers, which include: service stations, bulk plants, terminals, airports, marinas, retail stores; and non-retail, industrial users that may store or handle petroleum products or covered chemicals, fleet operations, and businesses with weights or measures.

This position provides for the protection of the environment of the state through education, field inspection, petroleum product testing and enforcement of environmental regulations concerning air quality, groundwater, and soil protection. Works in conjunction with or make referrals to other federal, state or local governmental agencies.

| TIME % | GOALS AND WORKER ACTIVITIES |
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| 40% | A. Responsible for Retail Petroleum and Commercial Storage Tank Site Compliance Inspection, including technical on-site inspections and review of petroleum product storage and dispensing systems. |
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| | <ul style="list-style-type: none">A1. Determine if retail outlet or commercial handler is performing and maintaining leak detection and corrosion protection that is in compliance with ch. ATCP 93, Wisconsin Administrative Code, the manufacture's specifications, applicable Wisconsin Material Approval for the equipment used and EPA protocols. Identify equipment and evaluate its correct use and system functions through inspection. Make an assessment regarding the functionality of equipment.A2. Periodically, inspect all retail outlets and assigned commercial storage tank systems components and configurations within assigned district to determine compliance with applicable codes and to verify key elements of leak detection methodologies and assist with permit verification, upon request.A3. Identify possible Leaking Underground Storage Tanks (LUSTs) through an evaluation process that includes but is not limited to; an evaluation of water levels in tanks, interpretation of leak detection records, problems with system operation, |
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contaminated product or site conditions.

- A4. When code violations are identified, consult with the supervisor to determine appropriate course of action (e.g., order writing, rejecting devices, ordering product off sale, etc.) during field inspection in accordance with Chapter 168, Wisconsin Statutes, chs. ATCP 93 and 94, Wisconsin Administrative Code and Division protocols.
- A5. Effectively communicate to owners/operators to explain findings of site inspections/assessments and direct appropriate corrective action.
- A6. Prepare reports verifying compliance, documenting inspection findings/deficiencies, determining course of action and establishing timelines for corrective action utilizing Division and EPA protocols.
- A7. Issue administrative orders for violations of chs. ATCP 93 and 94. Document Administrative Code violations through the inspection report, order writing and follow-up process following Division protocol.

25%

B. Weights and Measures Inspection - Enforcement of state regulations and national standards related to the specifications, tolerances, and technical requirements of all commercial weighing and measuring devices. This includes labeling, packaging, and net contents of packaged goods; price misrepresentations including price verification accuracy; and inspection of mobile air service businesses to ensure compliance with ATCP 136 Wis. Admin Code.

- B1. Inspect and test weighing and measuring devices including liquid measuring devices such as computing gasoline pumps and scales such as retail grocery scales. Instruct owner/user of their responsibility for equipment maintenance. Reject devices beyond specific tolerances established by NIST Handbook 44 Standards.
- B2. Inspect and test weights used in commercial weighing such as counterpoise weights used in grain warehouses and feed mills. Reject or confiscate those weights that are not accurate.
- B3. Investigate weights and measures service companies to determine if alleged violations appear to involve the adjustment of a weight or measure to make it incorrect.
- B4. Investigate consumer and business complaints to determine if alleged violations of weights and measures law concerning weighing and measuring. Resolve problem between buyer and seller if possible.
- B5. Preserve the integrity of personally assigned test equipment for traceability to National Institute of Standards and Technology. Prepare equipment for annual inspection and certification at the state metrology lab.
- B6. Inspect mobile air conditioning businesses to ensure compliance with Wisconsin Statutes 100.45 and Wisconsin Administrative Code ATCP 136, along with applicable U.S. EPA regulations. Verify the use of approved refrigerant recovery/recycling equipment, Wisconsin registered service technicians, and U.S.

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EPA approved refrigerants used in mobile air conditioning systems.

- B7. Inspect and test packaged commodities offered for sale in wholesale and retail establishments to determine accurate weight, measure or count and method of sale. Using methods of inspection found in the National Institute of Standards and Technology Handbook 133 determine if a product is short weight or short measure and pursue a course of action based on the findings. This can range from an off sale order to criminal or civil prosecution.
- B8. Price verification accuracy inspection of commodities at retail businesses to prevent misrepresentation of price.

15%

C. **Quality Assurance of Petroleum Products** (e.g. flammable and combustible liquid products) to ensure environmental and consumer protection.

- C1. Perform sampling and testing of petroleum products in accordance with Chapter 168 of the Wisconsin Statutes and ch. ATCP 94, Wisconsin Administrative Code and Division protocols. (Product sampling and testing is performed in accordance with Division safety procedures, protocols, and follows proper ASTM standards). Samples are typically obtained from storage at terminals, crosslines, bulk plants, service stations, barges, tank cars, trucks, trailers or consumer locations.
- C2. Authorize and monitor product blending. Using product test data make blend calculations in order to bring substandard rejected product into compliance with adopted specifications. Authorize the release for sale, use or movement from storage of petroleum products.
- C3. Perform complex field tests to verify that petroleum products fall within specifications and when necessary, independently take action with regard to their movement or use.
- C4. Respond to consumer complaints regarding possible out of specification products.

10%

D. **Enforcement Action.** Educate and communicate with the owner/operator to achieve compliance in a timely manner.

- D1. When compliance cannot be gained through education and consultation, obtain compliance through order writing, rejecting devices, ordering product off sale, and higher level enforcement as necessary. Determine if the situation poses an immediate danger to public safety and health, harm to the environment, or economic harm to consumers.
- D2. Under direction and/or in conjunction with a supervisor, carry out needed enforcement actions, possibly in dangerous environments or under hostile conditions and in isolated circumstances.
- D3. Compile and collate all needed data, histories, chronologies, etc., to complete an accurate and thorough case file for enforcement actions to be forwarded to the State's Attorney General's Office.
- D4. Coordinate prosecution with local district attorneys and assistant attorneys general

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to ensure efficient enforcement actions.

D5. Write warning letters and orders.

D6. Attend enforcement conferences.

5% E. **Education, training, and consultation to owners, operators and interested parties on petroleum products (to include newer bio fuels and some alternative fuels), associated storage tank systems, safety, and environmental compliance requirements contained in Wisconsin Administrative Code.**

E1. Highlight regulations to owners and operators of retail petroleum outlets and commercial users, encouraging them to actively manage their sites and perform detailed assessments of the integrity of their tank systems. Provide tools and on-site training with regard to public safety, groundwater and soil protection and environmental responsibility.

E2. Prepare reports documenting training, consultation results, and guidelines for corrective action and follow-up.

E3. Respond to inquiries of businesses and consumers regarding inspection programs to interpret and explain rules and statutes.

E4. Develop and maintain close professional relationship with city sealers, out of state weights and measures officials, other law enforcement agencies, business organizations, and public and private consumer groups. Cultivate rapport with the public and businesses to make them aware of the requirements and importance of the Weights and Measures Petroleum Inspection program.

E5. Obtain guidance on legal requirements for commercial weighing and measuring devices, as well as labeling.

5% F. **Responsible for developing and enhancing professional and program knowledge and processes to provide quality services to customers.**

F1. Maintain certification as a Tank Inspector and NCWM Weights and Measures Inspector Certification.

F2. Maintain and develop knowledge of developing fuel products, technology, and methodologies utilized in complying with chs. ATCP 93 and 94, Wisconsin Administrative Code and their adopted standards to include operational knowledge of ASTM sampling and testing procedures and standards.

F3. Review technical publications and literature to keep abreast of current issues and developments affecting regulated industry.

F4. Review statutes, administrative codes, and case law to expand knowledge of laws pertaining to regulations and other related matters.

F5. Assist Field Supervisors in the training and mentoring of new employees.

F6. Perform miscellaneous tasks and complete miscellaneous projects as directed by

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supervisor(s).

- F7. Participate in annual seminars, conferences, in-house training sessions, and formal education programs to expand knowledge of storage tank, fuel quality, weights and measures, mobile air conditioning regulations, and other related matters.
- F8. As a member of an inspection and investigation team, help evaluate effectiveness of existing programs and assist in identifying new program initiatives. Assist in program development and enhancement by using data collection, team building and Quality Improvement tools.

KNOWLEDGE, SKILLS & ABILITIES NEEDED:

1. Thorough knowledge of petroleum products, storage tank systems, commercial measuring devices, and packaged commodity and pricing requirements.
2. Demonstrated ability to conduct complex inspections to ensure compliance of systems and businesses and to obtain compliance through education or higher enforcement actions.
3. Thorough knowledge of lab and field equipment test result evaluation to determine compliance with State and Federal requirements.
4. Considerable knowledge of mathematics relating to statistics and the measurement principles of liquids, gases, and solids.
5. Thorough knowledge of highly technical official test equipment operation and maintenance and the design and operation of devices under test.
6. Working knowledge of Wisconsin Statutes, Administrative Code, and adopted standards pertaining to the transportation, storage, sale, handling, maintenance, and use of retail petroleum products.
7. Thorough knowledge of testing and enforcement procedures for environmental regulations concerning air quality and groundwater protection.
8. Thorough knowledge of investigative methods and procedures including the maintenance of the chain of custody to preserve and document evidence which is admissible in a court of law.
9. Thorough knowledge of applicable state and federal laws, regulations, and standards governing the production, packaging, labeling, advertising, distribution, and sale of regulated packaged commodities.
10. Thorough knowledge of applicable state and federal laws, regulations, and standards governing the design, distribution, sale, and use of regulated weights and measures devices.
11. Working knowledge of Wisconsin consumer protection laws including advertising, auto repair, plastics labeling and recycling, and mobile air conditioner/refrigerant repair shop requirements.
12. Demonstrated ability to interpret highly technical data, complex codes, and standards and be able to explain them to a wide variety of groups and individuals.
13. Demonstrated ability to work independently with strong time management skills.
14. Extensive knowledge of conflict resolution techniques and how to minimize possible threats.
15. Considerable knowledge of computer skills, including keyboarding and Microsoft Office.
16. Clear written and verbal communication skills.

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17. The ability to stand, bend, sit, stoop, walk, climb, and lift up to 35 pounds routinely and 50 pounds occasionally.
18. Must possess a valid WI Driver License and be able and willing to drive in urban or rural areas and in adverse weather conditions when needed.
19. Knowledge of data gathering and analysis to develop long and short-range plans to determine inspection priorities.
20. Working knowledge of the dangers associated with petroleum products and other hazardous materials, inspection equipment, and the work environment.
21. Working knowledge of field inspection safety equipment and procedures.

SPECIAL REQUIREMENTS:

- 1) A valid WI driver license and the ability/authorization to drive a State vehicle is required as a condition of employment.
- 2) Must obtain Storage Tank Inspector Certification and NCWM Weights and Measures Inspector Certification.
- 3) The ability to stand for prolonged periods of time, often on wet or uneven surfaces.
- 4) Travel and outdoor work are required 12 months of the year. Conditions frequently are dusty, dirty, and may be hazardous.
- 5) Ability to lift up to 50 lbs.

PERSONAL CONTACTS AND THEIR PURPOSE:

The work requires the inspectors to have frequent contacts with business owners, employees, and customers of a wide range of industries. These contacts range in nature from cordial to confrontational and can change quickly during the course of an investigation or inspection. They also have frequent contact with the other state agency personnel to coordinate inspection and investigation activities with DNR, DSPS, DOT, and city and county government agencies such as county sheriff, local police departments and district attorneys while doing investigations of short measure commodities and use of illegal devices. At times, inspectors contact employees of the National Institute of Standards and Technology for information on laws and procedures on difficult inspections and investigations.

Inspectors have contact with many private individuals in their respective territories for information on complaints and questions regarding the Bureau's programs. The inspector has contact with persons under conditions that may be adversarial and/or emotional with the potential to escalate to verbal and sometimes physical abuse. The inspector must be sensitive to the motivation and needs of complainants and witnesses from all walks of life.

Contacts with individuals and organizations are continuous throughout the year and range from a few minutes by telephone to several hours when made in person. The inspectors may have contact with radio, TV, and printed news media personnel.

On occasion, inspections must be achieved through the service of special inspection warrants, which placed the inspector in situations of high stress. Inspectors assist the W&M Petroleum Field Supervisor and other staff with legal complaints and submitting cases to district attorneys. They may serve as witnesses at trials. The purpose of these contacts is to provide information, education, and to negotiate to resolve conflict and take compliance action.

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DISCRETION AND ACCOUNTABILITY:

The general program work output assignments are defined and described by the W&M Petroleum Field Supervisor and the regulatory program staff specialist(s) with input from the inspector. Major program priorities are provided to each inspector and discussed in detail at Bureau training and staff conferences held yearly. The inspector may make modifications after discussion with supervisor and specialist. After program priorities are established, the inspector has a significant amount of flexibility in determining daily, weekly, and monthly work activities and the enforcement actions needed at the point of inspection as well as recommending additional compliance actions.

The W&M Petroleum Field Supervisor provides the inspector with yearly objectives and the inspector organizes his/her work to accomplish the objectives. The inspector may meet with the supervisor on a basis of once per month or less frequently. The inspector may call/communicate with the department on a weekly schedule, but this is usually to get messages or to receive complaints to investigate.

In addition to the information provided through regular training and conferences, each inspector is provided written compliance guidelines, sampling instructions, and investigation guidelines for each program. Once the inspectors have been provided the objectives and priorities mentioned above, they must plan their daily, weekly, and monthly work activities in order to accomplish the program priorities and objectives. The inspector has a significant amount of flexibility in determining daily work outputs and activities and the enforcement actions needed at the point of inspection as well as recommending additional compliance actions. Supervisors and regulatory specialists are available by phone to assist the inspector and solve major problems. Work direction may be changed through supervisor-inspector conferences resulting in the joint development of goals and objectives for achieving desired results.

Work performance is not normally shared with other than the supervisory chain of command. However, program staff personnel assist supervisors with determining performance. Inspectors have access to confidential information including trade secrets, production records, and tonnage reports of the industries regulated. Access to this kind of information requires a very high level of discretion and accountability on the part of each inspector.

Inspector is responsible for the maintenance and repair of assigned equipment and fleet vehicle, and maintaining a log of vehicle use and maintenance.

PHYSICAL DEMANDS:

The inspector almost always works alone and thus must be in good physical condition, very safety conscious, and mentally alert at all times. Inspection work is very physically demanding. The basic weight kit weighs 30 lbs. which must be carried to every location where a scale is tested. Up to 50 lb. weights must be lifted and put in place in testing the 260 hopper scales located in the state.

Gasoline pumps are tested using two 5-gallon hand held test measures weighing 45 lbs. each when full or a 45-gallon test cart with a J-style 5 gallon prover weighing 400 lb when full, that is pushed to (UST) tanks and dispensers. Physical effort is needed to move large test weights in the laboratory and field using mechanical devices.

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Special safety precautions are taken when inspectors tow 1,000-gallon terminal, 100-gallon fuel oil, 50-gallon high speed diesel, gasoline, LP provers and hopper scale weights on trailers to test sites. The petroleum provers are hooked up to the devices to be tested and there is a constant danger of explosion, which can be caused by static electricity as well as being caused by arcing of the power used to operate the test pumps.

WORKING ENVIRONMENT:

Environmental conditions vary widely from the interior of a grocery store to testing hopper scales up in the head house of a grain elevator 100 feet off the ground in a thick grain dust environment. Outdoor conditions vary greatly from testing a motor vehicle scale in the hot summer to a test in the cold of winter.

The heavy stationary and moving machinery used in warehouses, manufacturing plants, and agricultural production areas the inspector visits in order to test weigh and conduct investigations can present considerable dangers. Many of the buildings are unheated and are not air-conditioned; thus the working conditions can be very uncomfortable in cold as well as hot weather. Conditions frequently are dusty, dirty, and may be hazardous.

The inspector is routinely exposed to petroleum products, pressurized gasses (i.e. LPG), hazardous and flammable materials, and other toxic substances. The inspector must regularly wear protective clothing and footwear. The inspector is also required to wear safety shoes, rubber gloves, goggles, hearing protection, flame retardant clothing, hard hats, and safety glasses as appropriate.

Inspectors must drive a loaded pickup truck, often towing specialized equipment on trailers, during day and night, on all types of roads, under all weather conditions, and in all traffic situations, both urban and rural.

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WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE & CONSUMER PROTECTION
DIVISION OF TRADE & CONSUMER PROTECTION
BUREAU OF WEIGHTS & MEASURES
FIELD OPERATIONS SECTION - 36 FTE

